

Name: East 25th Street and Cumberland Street – Right-of-Way Abandonment

Location: Between E. Roosevelt Road and East 25th Street, east of Scott Street

Owner/Applicant: Georgia Ray and Institute of Basic Life Principles/ Angela Boyd, Wilson and Associates, PLLC

Request: The applicant proposes to abandon the east 140 feet of the undeveloped 60 foot wide East 25th Street right-of-way lying north of Block 5 of the subdivision of Lot 18 of Rapley's Estate Addition; and 130 feet of the undeveloped 60 foot wide Cumberland Street right-of-way located between East Roosevelt Road right-of-way and East 25th Street right-of-way.

STAFF REVIEW:

A. Public Need for this Right-of-Way:

As noted in paragraph G., none of the public utility companies object to the abandonment request. None of the utilities request the area be retained as a utility easement. The Public Works comment is as follows:

- Drainage easements should be maintained in the right-of-way to convey storm water from adjacent property.

B. Master Street Plan:

There are no Master Street Plan issues associated with this abandonment request, as the rights-of-way are not classified as Collector Streets or higher.

C. Characteristics of Right-of-Way Terrain:

The East 25th Street right-of-way is currently undeveloped and slopes downward to the property to the north and east. An old fence runs through the right-of-way. Trees and vegetation are located along the fence line.

The Cumberland Street right-of-way is also undeveloped. It slopes upward from Roosevelt Road to the north. The area of right-of-way is partially grass covered.

D. Development Potential:

After abandonment; the area of right-of-way will transfer to the ownerships to the north, east and west for private use.

E. Neighborhood and Land Use Effect:

A single family residence (225 E. 25th Street) is located on the R-5 zoned property south and west of the areas proposed for abandonment. The old VA Hospital property (Institute of Basic Life Principles), zoned PCD, is located to the north and east. East 25th Street is constructed from Scott Street to 225 East 25th Street at which point it dead ends with a cul-de-sac.

F. Neighborhood Position:

The Pettaway Park Neighborhood Association was notified of the abandonment request. As of this writing, staff knows of no objectors to the abandonment request.

G. Effect on Public Services or Utilities:

Wastewater: No objection to abandonment.

Entergy: No objection to abandonment, as long as the service line from the transformer pole to the house at 225 East 25th Street is not impacted.

Centerpoint Energy: No objection to abandonment.

AT&T (SBC): No objection to abandonment.

Water: No objection to abandonment.

H. Reversionary Rights:

Information submitted by a licensed title insurance agent states that there are no reversionary rights found of record.

I. Public Welfare and Safety Issues:

Abandoning this alley right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department has reviewed and approved the abandonment request.

SUBDIVISION COMMITTEE COMMENT: (JANUARY 8, 2014)

Angela Boyd was present, representing the application. Staff described the proposed right-of-way abandonment request.

The issue of drainage easements was discussed. It was noted that a 20 foot drainage easement would be retained. Staff noted that none of the utility companies objected to the abandonment request nor requested easements.

After the discussion, the Committee forwarded the application to the full Commission for resolution.

STAFF RECOMMENDATION:

Staff recommends approval of the request to abandon the east 140 feet of the 60 foot wide East 25th Street right-of-way lying north of Block 5, of the subdivision of Lot 18 Rapley's Estate Addition; and 130 feet of the 60 foot wide Cumberland Street right-of-way located between East Roosevelt Road right-of-way and East 25th Street right-of-way, subject to a 20 foot drainage easement being retained along the south side of the existing fence within the East 25th Street right-of-way and a 20 foot drainage easement being retained along the east 20 feet of the Cumberland Street right-of-way.

PLANNING COMMISSION ACTION:

(JANUARY 30, 2014)

The applicant was present. There were no objectors present. Staff presented the application with a recommendation of approval. There was no further discussion.

The item was placed on the Consent Agenda and approved as recommended by staff. The vote was 9 ayes, 0 nays and 2 absent.